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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/272,562 03/19/99 ALAM

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EXAMINER

IM52/1024

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GUARRIELLO, J  
ART UNIT PAPER NUMBER

1771  
DATE MAILED:

12  
10/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

69/272562

Applicant(s)

Hlam et al.

Examiner

John Guarriello

Group Art Unit

199/

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 7/23/2001
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-11, 21-27 is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-5, 7-11, 23, 27 is/are rejected.
- ☒ Claim(s) 6, 21, 22, 24-26 is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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**DETAILED ACTION**

15. The Examiner acknowledges papers # 9-11, the notice of appeal of 2/21/2001, extension of time of 7/23/2001, and the appeal brief of 7/23/2001. The examiner withdraws the final rejection of 11/21/2000, paper # 6, and prosecution continues.

16. In view of the appeal brief filed on 7/23/2001, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(a) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(b) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments,

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affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted.

See 37 CFR 1.193(b)(2).

***Claim Rejections - 35 USC § 102***

17. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawai et al. 5,403,422.

Kawai describes a base sheet, which is similar to the screen ink printed film carrier, impregnated with a thermosetting resin, (see abstract). Kawai describes the base sheet can be a woven or nonwoven cloth or synthetic resin fiber, which is similar to the fibrous sublayer or textile layer, (column 4, lines

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44-50). Kawai describes a pattern layer, which is similar to the continuous surface layer of resin with ink, can be formed in a known printing manner using conventional ink, (column 3, lines 30-34). Kawai describes the ink composition can be used for forming the pattern layer, which is similar to the continuous layer, (column 4, lines 28-40). Kawai describes the the adhesive agent ( material), is coated on the printed surface (pattern layer), (column 6, lines 20-24). Although co-curing is silent it is inherent in the layering as described by Kawai. Kawai describes the essential limitations of the claimed invention. Claims lack novelty.

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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19. Claims 3-5, 7-11, 23, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al. 5,403,422 in view of Whyzmuzis 5,714,526 and Ruffoni 5,185,381 and Neaves et al. 4,879,148.

Kawai describes as above in paragraph # 18 except it differs because it is silent about the components of the ink pattern, the conductive material and curable resin, and magnetic particles.

Whyzmuzis describes pigments (like conductive material) for ink which are ferrite yellow oxide, red iron oxides, ferric oxide brown, and others which are conductive and can be magnetic, (column 6, lines 37-55).

Neaves describes a marker assembly with curable resin like epoxy resin, (column 3, lines 40-68). Neaves describes the coating (curable resin) can be done with screen printing, (column 4, lines 58-68). Neaves describes indicia (like a pattern layer of ink) which can have an adhesive material applies by any means, (column 5, lines 15-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the conductive material and curable resin

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of Whyzmuzis and the expoxy resin of Neaves in Kawai motivated with the expectation that improved properties of adhesion would result, since the curable resin and the adhesive resin material are similar, and appear to be co-cured (column 5, lines 23-29), they are compatible resins (curable resin and the adhesive material may be the same) are co-cured together to form the laminate of the adhesive material with the ink pattern layer.

20. Claims 6, 21, 22, 26 and 24, 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

21. Rejections that are not maintained are withdrawn because of applicant's persuasive arguments in the appeal brief.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John J. Guarriello whose telephone

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number is (703) 308-3209. The examiner can normally be reached on Monday to Friday from 8 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris, can be reached on (703) 308-2414. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-5408.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



John J. Guarriello:gj

Patent Examiner

October 9, 2001



TERREL MORRIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700